

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 1-9 and 15-16 remain pending in the present application. No new matter has been added.¹

By way of summary, the Office Action presented the following issues: the Office indicated that the Form PTO 1449 submitted May 8, 2006, was not considered; Claims 1-2 and 5-8 stand rejected under 35 U.S.C. § 103(a) as obvious over Kuriya et al. (U.S. Patent Application Publ'n No. 2001/0056404 A1, hereinafter “Kuriya”) in view of Natsuno et al. (U.S. Patent Application Publ'n No. 2002/0194474 A1, hereinafter “Natsuno”); Claim 3 stands rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno and Flanagin et al. (U.S. Patent No. 6,128,661, hereinafter “Flanagin”); Claim 4 stands rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno, Flanagin, and Takeuchi (U.S. Patent Application Publ'n No. 2003/0134615 A1); Claim 9 stands rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno, Takeuchi, and Kunigita (U.S. Patent Application Publ'n No. 2003/0078723 A1); Claims 10 and 12-14 stand rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno and Halén et al. (International Patent Application Publ'n No. WO 030/028283 A1, hereinafter “Halén”); and Claim 11 stands rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno, Flanagin, and Halén.

FORM PTO 1449

The Office indicated that the Form PTO 1449 filed May 8, 2006, was not considered.² Because the references cited on that Form PTO 1449 were indicated as considered on April

¹ The amendments to Claim 1 find support at least in Claim 10. The amendments to Claim 3 find support at least in Claim 11. The amendments to Claim 5 find support at least in Claim 12. The amendments to Claim 6 find support at least in Claim 13. The amendments to Claim 7 find support at least in Claim 14.

² Office Action at 3.

16, 2009, it is believed that the Office's indication has been held over from a previous Office Action. However, to the extent that the Office now asserts that those references were improperly considered, Applicants respectfully direct attention to pages 13-14 of the Amendment filed February 10, 2009.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-2 and 5-8 stand rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno. In light of the several grounds of rejection of the merits, independent Claims 1, 3, and 5-7 have been amended to clarify the claimed inventions and to thereby more clearly patentably define over the applied references.

Amended Claim 1 recites an information-processing apparatus, including, in part,

deleting means for deleting the apparatus ID data after deleting the service ID data, . . . and for producing a result of an authentication based on the user ID data and the apparatus ID data; and

transmitting means for transmitting a ticket to the external apparatus based on the result of the authentication . . .

Applicants respectfully submit that Kuriya, Natsuno and Halén fail to disclose or suggest those features.

Kuriya concerns an information processing apparatus that manages and provides a content on the basis of usage conditions.³ Natsuno describes a technique for distributing a program to a storage module built or mounted in a mobile terminal.⁴ The Office concedes that “Kuriya and Natsuno do not disclose the transmitting means transmits a ticket to the external apparatus based on the result of the authentication, the ticket including time data representing a time of the authentication.”⁵ Applicants submit that Kuriya and Natsuno, taken alone or in combination, do not disclose or suggest “deleting means for deleting the

³ Kuriya, para. [0001].

⁴ Natsuno, para. [0001].

⁵ Office Action at 18.

apparatus ID data after deleting the service ID data, . . . and for producing a result of an authentication based on the user ID data and the apparatus ID data; and transmitting means for transmitting a ticket to the external apparatus based on the result of the authentication,” as recited in amended Claim 1.

To remedy the above-noted deficiency in Kuriya and Natsuno, the Office relies on Halén. Halén concerns a system, in which a “secure execution unit 4 can be turned into a frozen environment by . . . storing the instructions that govern . . . the unit in permanent memory such as ROM (Read Only Memory) or implement them in hardware.”⁶ Further to Halén, “Alternatively the secure execution unit 4 is implemented to work according to a combination of hardware implemented instructions and instructions stored in permanent memory.”⁷ In the Halén system, “The secure execution unit 4 . . . includes . . . means for authenticating a result . . . using the secret key 7.”⁸

That is, Halén merely describes an authentication using a secret key. Halén does not disclose or suggest deleting the secret key upon which the authentication is based. Further, the skilled artisan would not modify Halén to delete a key stored in a permanent memory such as ROM or implemented in hardware. It is respectfully submitted that Halén fails to disclose or suggest “***deleting means for deleting the apparatus ID data*** after deleting the service ID data, . . . and for producing a result of ***an authentication based on*** the user ID data and ***the apparatus ID data***,” as advantageously recited in amended Claim 1.

Accordingly, it is respectfully submitted that Kuriya, Natsuno and Halén, taken alone or in combination, fail to disclose or suggest “deleting means for deleting the apparatus ID data after deleting the service ID data, . . . and for producing a result of an authentication based on the user ID data and the apparatus ID data; and transmitting means for transmitting a ticket to the external apparatus based on the result of the authentication,” as recited in

⁶ Halén, at 7, ll. 18-21.

⁷ Id., ll 21-23.

⁸ Id., at 8, ll. 15-17.

amended Claim 1. It is therefore submitted that amended Claim 1 (and all associated dependent claims) patentably distinguishes over any proper combination of Kuriya, Natsuno and Halén.

It is further submitted that independent Claims 5-7 (and all associated dependent claims) are allowable for the same reasons as discussed above with regard to Claim 1 and for the more detailed features presented in those claims.

Independent Claim 3 stands rejected under 35 U.S.C. § 103(a) as obvious over Kuriya in view of Natsuno and Flanagin.

It is respectfully submitted that no proper combination of Kuriya, Natsuno, and Halén discloses or suggests “an information-processing apparatus having . . . authentication means for performing an authenticating process in accordance with the user ID data and the apparatus ID data to produce an authentication result, deleting means for deleting the apparatus ID data after deleting the service ID data, . . . and transmitting means for transmitting a ticket to the external apparatus, based on the authentication result,” as recited in amended Claim 3.

Further, it is noted that the Office does not rely upon Flanagin for the features of the information-processing apparatus recited in Claim 3.⁹ Applicants submit that Flanagin fails to disclose or suggest “an information-processing apparatus having . . . authentication means for performing an authenticating process in accordance with the user ID data and the apparatus ID data to produce an authentication result, deleting means for deleting the apparatus ID data after deleting the service ID data, . . . and transmitting means for transmitting a ticket to the external apparatus, based on the authentication result,” as recited in amended Claim 3.

⁹ Office Action at 10-13.

Accordingly, it is respectfully submitted that amended Claim 3 (and all associated dependent claims) patentably distinguishes over any proper combination of Kuriya, Natsuno, Halén, and Flanigin.

It is additionally submitted that dependent Claim 8 further distinguishes over Kuriya and Natsuno. Dependent Claim 8 recites that “the transmitting means transmits a request corresponding to the service ID data to a different external apparatus after the service ID data is deleted and before the apparatus ID data is deleted.”

The Office conceded that “Kuriya does not disclose the transmitting means transmits a request corresponding to the service ID data to a different external apparatus after the service ID data is deleted and before the apparatus ID data is deleted . . .”¹⁰ However, the Office asserts that “it is obvious to delete apparatus ID data after deleting service ID data (updating of the ‘permitted check-out count’ information), which is performed during the step of updating usage conditions.”¹¹ The Office provides no explanation why the skilled artisan would interpret an update, as shown in Kuriya in Figure 17 at S4205, as a deletion.¹² Applicants submit that Kuriya fails to disclose or suggest that “the transmitting means transmits a request corresponding to the service ID data to a different external apparatus after the service ID data is deleted and before the apparatus ID data is deleted,” as recited in Claim 8.

Further, the Office asserts that “Natsuno discloses after the first step of the deleting process and before the last step of the deleting process, the transmitting means transmits a request corresponding to the service ID data to a different external apparatus . . .”¹³ The Office asserts that Natsuno discloses those features at Figures 29-30.¹⁴

¹⁰ Office Action at 9.

¹¹ Id., at 9-10.

¹² Cf. Kuriya, Fig. 17, S4206 (“DELETE MOBILE TELEPHONE ID”).

¹³ Office Action at 10.

¹⁴ Id.

It is submitted that Natsuno merely shows in Figures 29-30 that a program is deleted, as Natsuno further describes in paragraphs [0302] and [0306]. Because Natsuno describes only the deletion of the program, it is respectfully submitted that Natsuno fails to disclose or suggest “the transmitting means transmits a request corresponding to the service ID data to a different external apparatus after the service ID data is deleted and before the apparatus ID data is deleted,” as recited in Claim 8.

Thus, it is respectfully submitted that Kuriya and Natsuno, taken alone or in combination, fail to disclose or suggest “the transmitting means transmits a request corresponding to the service ID data to a different external apparatus after the service ID data is deleted and before the apparatus ID data is deleted,” as recited in Claim 8. It is therefore submitted that dependent Claim 8 further distinguishes over Kuriya and Natsuno.

It is additionally submitted that Takeuchi fails to remedy the above-noted deficiencies in Kuriya, Natsuno, and Flanagin with regard to Claim 3. Thus, it is respectfully submitted that the rejection of dependent Claim 4 is moot. Further, it is submitted that Takeuchi and Kunigita fail to remedy the above-noted deficiencies in Kuriya and Natsuno with regard to Claim 1. Therefore, it is submitted that the rejection of dependent Claim 9 is moot.

As Applicants have not substantively amended Claims 10-14 in response to any rejection of record, if a further rejection is applied in the next Action based upon a newly cited reference, Applicants submit that such an Action **cannot properly be considered a Final Office Action.**

NEW CLAIMS

Applicants have added new Claims 15-16 to set forth the invention recited in Claim 1 in a varying scope. It is respectfully submitted that new Claim 15 finds support at least in Figure 11 and in its accompanying text in the specification. It is further submitted that new

Claim 16 finds support at least in Figure 22 and in its accompanying text in the specification. Thus, no new matter has been added. It is respectfully submitted that new Claims 15-16 are allowable by virtue of their dependency and for the more detailed features presented by the new claims.

CONCLUSION

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present application is patentably distinguished over the cited art and is in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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